

08/16/01

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ATTORNEY DOCKET NO. 102199-201

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**CERTIFICATION UNDER 37 C.F.R. § 1.10**

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date August 15, 2001 in an envelope as "Express Mail Post Office to Addressee" Mailing Label No. EL 662 087 220 US to the Commissioner for Patents, Washington, DC 20231.

MICHAEL K KINNEY

Name of Person Mailing Paper

[Signature]  
Signature of Person Mailing Paper

**BOX PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231**

**APPLICATION TRANSMITTAL UNDER 37 C.F.R. § 1.53(b)**

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is the patent application of:

Inventors: Jonathan Stanley Harold DENYER  
Anthony DYCHE  
Richard MARSDEN

For: **IMPROVEMENTS IN AND RELATING TO CONTROLLING DRUG  
DELIVERY APPARATUS**

1. Type of Application

☐ Original ☐ Continuation ☐ Divisional ☒ Continuation-In-Part

2. Benefit of Prior Foreign Application(s) (35 U.S.C. § 119)

☒ The new application being transmitted claims the benefit of:

☒ prior foreign application serial no. GB003197.1, filed on 11 February 2000 in United Kingdom (country); or

☐ PCT international application designating at least one country other than the U.S. application serial no. \_\_\_\_\_, filed on \_\_\_\_\_.

A certified copy is ☐ enclosed, ☐ not enclosed or ☒ on file in the prior application.

3. Benefit of Prior U.S. Application(s) (35 U.S.C. § 120 and § 119(e))

☒ The new application being transmitted claims the benefit of prior copending U.S. application:

Serial No. 09/781,610, filed on 12 February 2001.

4. Papers Enclosed Which Are Required for Filing Under 37 C.F.R. § 1.53(b)

19	page(s) of Specification
2	page(s) of Claims, having <u>6</u> claims, including <u>3</u> independent and <u>3</u> dependent claims
1	Page(s) of Abstract
13	Sheet(s) of 9 Figures

5. Additional Papers Enclosed

- ☒ Return Receipt Postcard  
☐ Preliminary Amendment  
☐ Information Disclosure Statement  
☐ Form PTO-1449  
☐ Copies of Cited Art  
☐ Priority Document and Certified Copy  
☐ Form PTO-1595 (Assignment Recordation)  
☒ Other: Request and Certification Under 35 U.S.C. §122(b)(2)(B)(i)

6. Declaration

A Unsigned Declaration is: ☒ enclosed ☐ not enclosed.

7. Assignment

An Assignment is: ☐ enclosed ☒ not enclosed

- ☐ Enclosed is a recordation form and an assignment of the invention to Medic-Aid Limited, a corporation of the organized under the Law of the United Kingdom.

8. Small Entity Status

☒ Applicant claims Small Entity status.

9. Fee Calculation (37 C.F.R. § 1.16) -

CLAIMS AS FILED OR AS AMENDED BY ANY ENCLOSED PRELIMINARY AMENDMENT					
	Number Filed	Minus	Number Extra	Rate	Basic Fee \$710.00
Total Claims	6	-20	0	\$18.00	
Independent claims	3	-3	0	\$80.00	
Multiple Dependent claims, if any:				\$270.00	
Total					\$710.00
Reduction for small entity by 50%					-\$355.00
TOTAL FILING FEE					\$355.00

10. Method of Payment of Fees

☐ Check in the amount of \$ \_\_\_\_\_

☒ Charge Account No. 23-1665 in the amount of \$355 .00.

11. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any deficiencies or additional fees which may be required under 37 C.F.R. 1.16, 1.17, and 1.18, or credit any overpayment to Account No. 23-1665.

12. Correspondence

Please address all correspondence to:

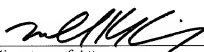
Customer Number 27267:



27267

PATENT TRADEMARK OFFICE

Michael K. Kinney, Esq.  
(Name of Attorney)

  
\_\_\_\_\_  
Signature of Attorney  
Reg. No. 42,740

WIGGIN & DANA  
P. O. BOX 1832  
NEW HAVEN, CT 06508-1832  
Tel. No. (203) 498-4411

Date: 15 AUGUST 2001

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Jonathan S.H. DENYER
Title	IMPROVEMENTS IN AND RELATING TO CONTROLLING DRUG DELIVERY APPARATUS
Atty Docket Number	102199-201

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b). This request may be rescinded at any time.

15 August 2001

Date



Signature

Wiggin & Dana, LLP  
One Century Tower  
P.O. Box 1832  
New Haven, Connecticut 06508-1832  
(203) 498-4400



Type or Printed Name

Reg. No. 42,740

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If the applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 8 minutes to complete. This time will vary depending on the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.